

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

DISTRICT OF MONTANA

Case number (if known)

Chapter 11

Check if this an amended filing

**Official Form 201**

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	<u>THE ORIGINAL MONTANA CLUB COOPERATIVE ASSOCIATION</u>		
2. All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names	DBA <u>THE MONTANA CLUB OF HELENA SINCE 1885</u> DBA <u>THE MONTANA CLUB</u> DBA <u>RATHSKELLER</u> DBA <u>THE ORIGINAL MONTANA CLUB</u>		
3. Debtor's federal Employer Identification Number (EIN)	<u>82-5473314</u>		
4. Debtor's address	Principal place of business  <u>24 WEST SIXTH AVENUE</u> <u>HELENA, MT 59601</u> Number, Street, City, State & ZIP Code	Mailing address, if different from principal place of business  <u>P.O. BOX 637</u> <u>HELENA, MT 59624</u> P.O. Box, Number, Street, City, State & ZIP Code	Location of principal assets, if different from principal place of business  <u>24 WEST SIXTH AVENUE HELENA, MT 59601</u> Number, Street, City, State & ZIP Code
5. Debtor's website (URL)	<u><a href="https://montanaclub.coop/">https://montanaclub.coop/</a></u>		
6. Type of debtor	<input type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input checked="" type="checkbox"/> Other. Specify: <u>COOPERATIVE ASSOCIATION</u>		

**7. Describe debtor's business**A. *Check one:*

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. *Check all that apply*

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See  
<http://www.uscourts.gov/four-digit-national-association-naics-codes>.**7225****8. Under which chapter of the Bankruptcy Code is the debtor filing?**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

*Check one:*

- Chapter 7
- Chapter 9
- Chapter 11. *Check all that apply:*

- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

If more than 2 cases, attach a separate list.

- No.
- Yes.

District \_\_\_\_\_  
District \_\_\_\_\_When \_\_\_\_\_  
When \_\_\_\_\_Case number \_\_\_\_\_  
Case number \_\_\_\_\_

Debtor

**THE ORIGINAL MONTANA CLUB COOPERATIVE ASSOCIATION**

Name

Case number (*if known*) \_\_\_\_\_

- 10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

No  
 Yes.

List all cases. If more than 1, attach a separate list

Debtor District	When	Relationship Case number, if known
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- 11. Why is the case filed in this district?**

*Check all that apply:*

- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.  
 A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

- 12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

No  
 Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention? (Check all that apply.)**

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
 What is the hazard? \_\_\_\_\_  
 It needs to be physically secured or protected from the weather.  
 It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).  
 Other \_\_\_\_\_

**Where is the property?**

Number, Street, City, State & ZIP Code

**Is the property insured?**

- No  
 Yes. Insurance agency \_\_\_\_\_  
 Contact name \_\_\_\_\_  
 Phone \_\_\_\_\_

#### Statistical and administrative information

- 13. Debtor's estimation of available funds**

*Check one:*

- Funds will be available for distribution to unsecured creditors.  
 After any administrative expenses are paid, no funds will be available to unsecured creditors.

- 14. Estimated number of creditors**

1-49  
 50-99  
 100-199  
 200-999

1,000-5,000  
 5,001-10,000  
 10,001-25,000

25,001-50,000  
 50,001-100,000  
 More than 100,000

- 15. Estimated Assets**

\$0 - \$50,000  
 \$50,001 - \$100,000  
 \$100,001 - \$500,000  
 \$500,001 - \$1 million

\$1,000,001 - \$10 million  
 \$10,000,001 - \$50 million  
 \$50,000,001 - \$100 million  
 \$100,000,001 - \$500 million

\$500,000,001 - \$1 billion  
 \$1,000,000,001 - \$10 billion  
 \$10,000,000,001 - \$50 billion  
 More than \$50 billion

- 16. Estimated liabilities**

\$0 - \$50,000

\$1,000,001 - \$10 million

\$500,000,001 - \$1 billion

Debtor **THE ORIGINAL MONTANA CLUB COOPERATIVE ASSOCIATION** Case number (*if known*) \_\_\_\_\_

Name

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> \$50,001 - \$100,000               | <input type="checkbox"/> \$10,000,001 - \$50 million   | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000              | <input type="checkbox"/> \$50,000,001 - \$100 million  | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input checked="" type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion          |

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 31, 2023

MM / DD / YYYY

**X /s/ CHARLES ROBISON**

Signature of authorized representative of debtor

**CHARLES ROBISON**

Printed name

Title PRESIDENT

**18. Signature of attorney**

**X /s/ JAMES A. PATTEN**

Signature of attorney for debtor

Date October 31, 2023

MM / DD / YYYY

**JAMES A. PATTEN 1191**

Printed name

**PATTEN PETERMAN BEKKEDAHL**

Firm name

**& GREEN**

**2817 2ND AVENUE N, ST 300**

**BILLINGS, MT 59101**

Number, Street, City, State & ZIP Code

Contact phone 406-252-8500

Email address apatten@ppbglaw.com

**1191 MT**

Bar number and State

AREI 5620 ALABAMA DR. HELENA MT 59602	DEPARTMENT OF THE TREASURY INTERNAL REVENUE SERVICE P.O. BOX 9941, STOP 6552 OGDEN UT 84409-0941	CB1 COLLECTIONS 3318 3RD AVENUE N. STE. 100 BILLINGS MT 59101
BRUCE SPENCER P.O. BOX 726 HELENA MT 59624	INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101-7346	CHRISTENSEN & PREZEAU 24 W 6TH AVE STE 501 HELENA MT 59601
DUANE MCPHERSON 4515 W US HIGHWAY 12 HELENA MT 59601	MONTANA DEPT OF REVENUE BANKRUPTCY SPECIALIST PO BOX 7701 HELENA MT 59604-7701	CLOVER 415 N. MATHILDA AVENUE SUNNYVALE CA 94085
FIRST INTERSTATE BANK HELENA GULCH 25 E LYNDALE P.O. BOX 6013 HELENA MT 59604	ADP 1 ADP BOULEVARD ROSELAND NJ 07068	CRAVENS COFFEE 2935 STOCKYARD RD MISSOULA MT 59808
LEWIS & CLARK COUNTY TREASURERALSCO 316 N PARK AVE ROOM #113 HELENA MT 59623	1000 BLAINE ST HELENA MT 59601	CREDIT ASSOCIATES, INC. PO BOX 6099 GREAT FALLS MT 59406
MONTANA BUSINESS ASSISTANCE CONNECTION, INC. 225 CRUSE AVENUE, SUITE D HELENA MT 59601	AMERICAN SHEET METAL CHRIS NICHOLS 1526 HAUSER BLVD HELENA MT 59601	CROWLEY FLECK 900 N LAST CHANCE GULCH #200 HELENA MT 59601
MONTANA CLUB BUILDING CONDOMINIUM OWNERS ASSOCATION P.O. BOX 1164 HELENA MT 59624	ASCAP 250 W 57TH STREET NEW YORK NY 10107	DUANE MCPHERSON 4525 W US HWY 12 HELENA MT 59601
WAYNE BOECK 815 MONROE AVENUE HELENA MT 59601	BLOCK, INC. SQUARE CAPITAL LLC 354 OYSTER POINT BOULEVARD SOUTH SAN FRANCISCO CA 94080	ECOLAB INC. 1 ECOLAB PLACE SAINT PAUL MN 55102
ALEXIS DICKERSON-WARBURTON P.O. BOX 120 EAST HELENA MT 59635	BMI C/O NATIONWIDE CREDIT INC. P.O. BOX 15130 WILMINGTON DE 19850-5130	ECOMONTANA 6555 TAWNY BROWN DR BOZEMAN MT 59718

ESTATE OF RUSSELL A. CARGO  
C/O SARAH BRYANT CARGO  
1012 HUNTERS WAY  
BOZEMAN MT 59718

JONATHAN'S DISTRIBUTING  
2304 DODGE AVE  
HELENA MT 59601

ROCKY MOUNTAIN CREDIT  
3400 N MONTANA AVE  
HELENA MT 59602

FIRSTDATA MERCHANT SOLUTIONS  
2900 WESTSIDE PARKWAY  
ALPHARETTA GA 30004

KIRA THOMAS  
2988 KINGS DOMINION CT  
HENDERSON NV 89052

RYAN CLARK  
7145 US HWY 10 W#8702  
MISSOULA MT 59808

FISHER'S TECHNOLOGY  
ALYSSA WOOD  
572 EAST 42ND STREET  
GARDEN CITY ID 83714

MATT VOLZ  
813 GILBERT STREET  
HELENA MT 59601

SERVE PRO OF HELENA & GREATER  
479 LINCOLN RD. W  
HELENA MT 59602-8789

GOODRICH & REELY PLLC  
2315 MCDONALD AVE  
STE 200  
MISSOULA MT 59801

MIKE & LAURA SULLIVAN  
259 ANDERSON BLVD  
HELENA MT 59601

SESAC  
P.O. BOX 5246  
NEW YORK NY 10008

GREAT AMERICA FINANCIAL SERVICES  
625 1ST ST SE  
STE 800  
CEDAR RAPIDS IA 52401

MIKE & PATRICIA COTTER  
1194 DAYBREAK STREET  
HELENA MT 59601

SOUNDTRACK  
800 5TH AVENUE NORTH  
SUITE 4100  
SEATTLE WA 98109

GRIME FIGHTERS  
432 13TH STREET WEST  
COLUMBIA FALLS MT 59912

MORRISON LAW FIRM  
111 N LAST CHANCE GULCH  
STE 3B  
HELENA MT 59601

SOUTH HILLS DENTAL  
MATT TENYENHUIS  
2480 TRACY DRIVE  
HELENA MT 59601

INTEGRITY ELECTRICAL CONTRACTORS  
3101 BOZEMAN AVE  
HELENA MT 59601

MRG FINANCIAL SERVICES PLLC  
PO BOX 883  
FAIRFIELD MT 59436

SUSAN SPRINGER BUTLER  
3360 VINCE'S COURT  
HELENA MT 59602-6470

INTUIT INC  
2632 MARINE WAY  
MOUNTAIN VIEW CA 94043

OPENTABLE  
P.O. BOX 101861  
PASADENA CA 91189-1861

THE ROCKET SCIENCE GROUP LLC  
DBA MAILCHIMP  
675 PONCE DE LEON AVENUE N  
SUITE 5000  
ATLANTA GA 30308

JAMES BRIEN  
P.O. BOX 2343  
RED LODGE MT 59068

PETER WOLF  
1085 GUTHRIE RD.  
HELENA MT 59602

TREASURE STATE INTERNET & TE  
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HELENA MT 59601

TRI-COUNTY MECHANICAL & ELECTRICAL  
PO BOX 5928  
HELENA MT 59604

UDA LAW FIRM  
ASHLEY CHAMBERS  
3130 SADDLE DRIVE #5  
HELENA MT 59601

US BANK - HELENA  
302 N LAST CHANCE GULCH  
HELENA MT 59601

BURT W. WARD  
JACKSON, MURDO & GRANT, P.C.  
203 NORTH EWING STREET  
HELENA MT 59601

PETER WOLF  
1085 GUTHRIE ROAD  
HELENA MT 59602



## The Original Montana Club Cooperative Association

Shareholders' Meeting: August 22, 2023

- Call to Order: President Charles Robison called the meeting to order at 6:05 PM. Quorum was present.
- Announcements and Introductions:
  - All board members present introduced themselves and described their current roles.
  - Mr. Robison announced that the Montana Club will be holding a Dinner en Blanc event on September 10, 2023 and encouraged shareholders to purchase tickets in advance.
- Meeting Minutes: Minutes from the April 25, 2023 meeting were distributed to the Shareholders. MOTION: Kathleen Dreyer moved to approve the previous meeting's minutes, seconded by Judith Meadows and carried without dissent.
- Litigation Report and Discussion:
  - Mr. Robison gave a brief history on the factual background leading to the lawsuit and the status of the litigation. Mr. Ramon Mercado, Board Secretary and counsel of record for the Montana Club, gave a report on the current deadlines on the pending Motion for Summary Judgment.
  - Mr. Robison distributed information to the shareholders outlining possible options regarding the current debt and the lawsuit. The information distributed included possible outcomes and scenarios and discussed each example's advantages and disadvantages. A copy of the document is attached to today's minutes for reference.
  - Following Mr. Robison's explanation of the options, he opened the floor for discussion. Shareholders discussed the advantages and disadvantages of each option, and asked the board clarifying questions regarding costs, prospective buyers, and timeline.
- Proposed Resolution 2023.02: Following the discussion on the 5 options presented, Mr. Robison presented a resolution for the shareholders to authorize the board to file a bankruptcy action. Mr. Lee Shubert suggested the resolution to read that the Club would file under Chapter 11, Subchapter 5. After discussion, the shareholders unanimously approved the resolution reading as follows:
  - **Resolution 2023.02:**  
The Shareholders of the Original Montana Club Cooperative Association authorize the Board of Directors to file a bankruptcy action, Chapter 11, Subchapter 5, on behalf of the OMCCA and to take all necessary actions to negotiate, settle, pay and otherwise address claims by creditors or others against the OMCCA.
  - MOTION: Jason Kreth moved to approve Resolution 2023.02, seconded by Regina Mercado and carried without dissent.
- Adjournment: Meeting adjourned at 7:20 PM

Submitted by Charles Robison, President

Approved on Frank Charles Robison